

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAMES MARKELLOS,

Plaintiff,

-against-

RAJU KARTHIK, Legal Aid;  
JUDGE MERRYLE BERKOWITZ,

Defendants.  
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NICHOLAS G. GARAUFIS, United States District Judge:

On August 25, 2011, Plaintiff James Markellos, who is incarcerated at the Nassau County Jail, commenced this action pursuant to 42 U.S.C. § 1983 against his attorney and the judge presiding over his state court criminal action. (Docket Entry #1.) Markellos's request to proceed in forma pauperis ("IFP") was accompanied by an outdated Prisoner Authorization form that lists the filing fee as 150 dollars. (Docket Entry #2.) The fee is now 350 dollars. The clerk's office provided Markellos with the proper forms and, by letter dated August 30, 2011, instructed him that in order to proceed he must return the completed IFP application and an updated Prisoner Authorization form no later than fourteen days after receipt of the letter. (Docket Entry # 3.) Marekellos has failed to respond to the letter. Accordingly, the action is dismissed without prejudice.

SO ORDERED.

Dated: November 14, 2011  
Brooklyn, New York

s/Nicholas G. Garaufis  
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NICHOLAS G. GARAUFIS  
United States District Judge

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**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
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